

REMARKS/ARGUMENTS

Request for Continued Examination

Applicant lodges herewith a Request for Continued Examination, and submits the following further supplemental arguments.

§102(c)

In the comments provided by the Examiner in the Advisory Action of May 8, 2009, the Examiner states, in regard to claim 2, that “printed on a surface thereof” does not necessarily mean image manipulation instructions are printed on the top surface. The Examiner contends that instructions stored digitally inside the surface of the memory card are considered a digital imprint of the data stored onto it.

The Examiner’s above contention is strongly traversed, and submitted to go far beyond the broadest reasonable interpretation as would be understood by one of ordinary skill in the art.

Applicant firstly points out that in order for the Examiner to explain his contention, the Examiner has had to rely on the word “imprint”. It appears that the Examiner was unable to satisfactorily explain his position/contention using only the word “print”. This fairly suggests that the Examiner’s interpretation of the word “print” is unreasonably broad to the point that the Examiner has had to rely on other words in an attempt to explain his interpretation.

Next, it is noted that claim 1 recites “printed on a surface thereof”. In contrast, the Examiner’s above contention refers to instructions stored digitally inside the surface of the memory card. The Examiner’s unreasonably broad interpretation hence fails, in any case, to encompass this facet of the claim.

The term “print”, in particular when used in the context of “printed on a surface” is submitted to be explicitly clear to those skilled in the art to mean forming indicia/marks on a surface. The Examiner’s extrapolation of the meaning of “print” to include that of digital instructions stored inside the surface of a memory card goes way beyond a broadest reasonable interpretation. Applicant will seek the consensus of a Pre-Appeal Review Panel should the Examiner intend to reassert the above contention.

Applicant looks forward to word of further official communication in due course.

Very respectfully,



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